

## **WITTELS LAW**

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October 31, 2019

**Via ECF**

Honorable Cheryl L. Pollak  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Malancea v. MZL Home Care Agency LLC*, No. 18 Civ. 00732 (CBA) (CLP)

Dear Judge Pollak:

On behalf of Plaintiff and the proposed Class we write with Defendant's consent to provide Your Honor with this status update. Following the September 27 conference with Your Honor the parties have continued to confer on the outstanding discovery disputes, Plaintiff's amended complaint request, and the scope of additional motion practice on Plaintiff's anticipated renewed FLSA conditional certification motion.

Unfortunately, due to unanticipated conflicts and the October Jewish holidays, both Plaintiff's and Defendant's counsel have experienced unexpected delays and require additional time to discuss the outstanding matters.

The parties therefore jointly request that they be granted until December 6, 2019 to provide the Court with an updated status report, after which time the parties expect to be able to advise your Honor whether they will be seeking the Court's assistance on any outstanding issue.

The parties remain engaged in discussions related to the possible resolution of all issues and have set interim deadlines over the next three weeks for *inter alia* the exchange of documents and draft pleadings in an effort to narrow the outstanding issues.

Thank you for the Court's attention to this matter.

Respectfully submitted,

/s/ J. Burkett McInturff  
J. Burkett McInturff

cc: All Counsel of Record (via ECF)